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State of California—Health and Human Services Agency
California Department of Public Health

DRINKING WATER FIELD OPERATIONS BRANCH

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EDMUND G. BROWN JR.
Governor

September 11, 2013

Water System No. 4901071

Carra Clampitt
Boulevard Heights Mutual Water
6600 Hunter Drive
Rohnert Park, CA 94928

CITATION NO. 02-18-13C-049
ARSENIC MONITORING AND REPORTING VIOLATION FOR SECOND QUARTER
2013

Enclosed is a Citation issued to the Boulevard Heights Mutual Water (System) public water system.

Your System will be billed at the Department's hourly rate (currently estimated at \$126.00) for the time spent on issuing this Citation since this is an enforcement action for noncompliance with State regulations. At this time, we have spent approximately one hour on enforcement activities associated with this violation. You will receive a bill sent from our Fee Billing Unit in Sacramento on approximately August 1, 2014. This bill will contain fees for any enforcement time spent on your System.

If you have any questions regarding this matter, please contact Waldon Wong of my staff at (707) 576-2764 or me at (707) 576-2006.

Sincerely,

Janice M. Thomas, P.E.
Sonoma District Engineer
Drinking Water Field Operations Branch

Enclosures

CC (w/ Enclosures): Gary Mickelson, P.O. Box 2689, Petaluma, CA 94953

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

Name of Public Water System: Boulevard Heights Mutual Water

Water System No: 4901071

To: Carra Clampitt
6600 Hunter Drive
Rohnert Park, CA 94928

Issued: September 11, 2013

CITATION FOR NONCOMPLIANCE

With Title 22 of the California Code of Regulations Section 64432(g)

Section 116650 of the California Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued thereunder.

The Division of Drinking Water and Environmental Management of the State of California Department of Public Health (Department) hereby issues a citation to the Boulevard Heights Mutual Water (System) for failure to



1 comply with Title 22, California Code of Regulations (CCR) Section
2 64432(g).
3

4 **APPLICABLE AUTHORITIES**
5

6
7 Section 116650 of the CHSC states in relevant part:
8

9 (a) If the department determines that a public water system is in violation of this
10 chapter or any regulation, permit, standard, citation, or order issued or adopted
11 thereunder, the department may issue a citation to the public water system.
12 The citation shall be served upon the public water system personally or by
13 certified mail. Service shall be deemed effective as of the date of personal
14 service or the date of receipt of the certified mail. If a person to whom a citation
15 is directed refuses to accept delivery of the certified mail, the date of service
16 shall be deemed to be the date of mailing.

17 (b) Each citation shall be in writing and shall describe the nature of the violation or
18 violations, including a reference to the statutory provision, standard, order,
19 citation, permit, or regulation alleged to have been violated.
20

21 (c) A citation may specify a date for elimination or correction of the condition
22 constituting the violation.
23

24 (d) A citation may include the assessment of a penalty as specified in subdivision
25 (e).
26
27



1 (e) The department may assess a penalty in an amount not to exceed one
2 thousand dollars (\$1,000) per day for each day that a violation occurred, and
3 for each day that a violation continues to occur. A separate penalty may be
4 assessed for each violation.

5
6 California Code of Regulations, Section 64432(g) states in relevant part:

7
8 (g) If the level of any inorganic chemical, except for nitrate, nitrite, nitrate plus
9 nitrite, or perchlorate, exceeds the MCL, the water supplier shall do one of the
10 following:

11 (1) Inform the Department within 48 hours and monitor quarterly beginning in
12 the next quarter after the exceedance occurred.

13
14 California Code of Regulations, Section 64431 states in relevant part:

15
16 (a) Public water systems shall comply with the primary MCLs in Table 64431-A as
17 specified in this article.

18
19 Table 64431-A
Maximum Contaminant Levels
Inorganic Chemicals

<i>Chemical</i>	<i>Maximum Contaminant Level, mg/L</i>
Arsenic	0.010

20
21
22 CCR, Section 64469 states in relevant part:

23
24 (a) Analytical results of all sample analyses completed in a calendar month shall
25 be reported to the Department no later than the tenth day of the following
26 month.



1 (c) Analytical results shall be reported to the Department electronically using the
2 Electronic Deliverable Format as defined in The Electronic Deliverable Format
3 [EDF] Version 1.2i Guidelines & Restrictions dated April 2001 and Data
4 Dictionary dated April 2001.

5 6 STATEMENT OF FACTS

7
8 The System is a public water system that has approximately 51 residents
9 served by 18 connections. Pursuant to Section 64432(g), Title 22 of the
10 CCR, the System is required to collect quarterly arsenic samples directly
11 from Well 03. The analytical results of all required samples collected for a
12 system in a quarter shall be reported to the Department not later than the
13 tenth day of the following month.
14

15
16 The Department received a September 27, 2012 arsenic monitoring result
17 for Well 03 of 0.013 milligrams per liter (mg/L). By letter dated November
18 21, 2012, the System was notified of the requirement to commence quarterly
19 arsenic monitoring for Well 03. Pursuant to Section 64432(g), Title 22 of the
20 CCR, the System is required to collect one arsenic sample per quarter. The
21 analytical results of all required samples collected for a system in a calendar
22 month shall be reported to the Department not later than the tenth day of the
23 following month. As of the date of this Citation, the Division of Drinking
24 Water and Environmental Management of the Department of Public Health
25
26
27



1 has not received results for an arsenic sample collected in the second
2 quarter of 2013.

3
4 **DETERMINATIONS**

5
6
7 **THE DEPARTMENT HAS DETERMINED:**

8
9 The System violated Title 22 of the CCR, Section 64432(g), in that the
10 System failed to collect the required number of chemical samples during the
11 second quarter 2013.

12
13 **DIRECTIVES**

14
15
16 System Name is hereby directed to take the following actions:

- 17
- 18 1. Comply with Section 64432(g), Title 22, of the CCR in all future
19 monitoring periods. The System must continue with quarterly arsenic
20 monitoring of Well 03.
21
 - 22 2. Notify all persons served by the System of the arsenic monitoring
23 requirements, in conformance with Section 64463.4 and 64465, Title
24 22 of the CCR, and as follows:
25
26
27



- 1 a) Completion of Attachment A to include the name, address, and
2 telephone number of a System representative as a source of
3 additional information concerning the public notice. **You must**
4 **also give a legible, written description (preferably typed) of**
5 **the corrective actions taken by the water system to prevent**
6 **this violation from occurring in the future. You must use the**
7 **space provided in Attachment A for this written description.**
8
9
10 b) Provide the notice by mail or direct delivery, **after it has been**
11 **completed in accordance with (a) above**, to each customer or
12 service connection served by the System by **October 11, 2013**.
13
14
15 c) Publish the notice contained in Attachment A, **after it has been**
16 **completed in accordance with (a) above**, in a local newspaper
17 of general circulation in the area served by the System (or weekly
18 newspaper if no daily paper is available) for one day. The
19 publication in a local newspaper must be completed by **October**
20 **11, 2013**.
21
22
23 d) Provide public notice for this violation in accordance with Section
24 64465(c), Title 22 or the CCR, which requires for each non-
25 English speaking group that exceeds 1,000 residents or 10% of
26 the residents in a community (whichever is less) that the public
27 notice contain information in the appropriate language(s)



1 regarding the importance of the notice, or contain a telephone
2 number or address where such residents may contact the water
3 system to receive a translated copy of the notice or to receive
4 assistance in the appropriate language.
5

- 6
- 7 3. The System shall complete the attached Compliance Certification
8 form and return it to the Department within 10 days of the public
9 notice being given to system customers but in no case later than
10 **October 21, 2013. A copy of the notice published in the**
11 **newspaper, a copy of the notice delivered to the customers, and**
12 **a copy of the laboratory results must be attached to the form.**
13

14

15 The Department reserves the right to make such modifications to this
16 Citation, as it may deem necessary to protect public health and safety.
17 Such modifications may be issued as amendments to this Citation and shall
18 be effective upon issuance.
19

20 Nothing in this Citation relieves the System of its obligation to meet the
21 requirements of the California Safe Drinking Water Act (CHSC, Division 104,
22 Part 12, Chapter 4, commencing with Section 116270), or any regulation,
23 standard, permit or order issued thereunder.
24
25
26
27



1 All submittals required by this Citation shall be submitted to the Department
2 at the following address: Janice M. Thomas, P.E.
3 Department of Public Health
4 Drinking Water Field Operations Branch
5 50 D Street, Suite 200
6 Santa Rosa, CA 95404

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12 **PARTIES BOUND**

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15 This Citation shall apply to and be binding upon the System, its officers,
16 directors, agents, employees, contractors, successors, and assignees.
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21 **SEVERABILITY**

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23 The directives of this Citation are severable, and the System shall comply
24 with each provision thereof notwithstanding the effectiveness of any
25 provision.
26

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29 **FURTHER ENFORCEMENT ACTION**

30
31 Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the
32 California Health and Safety Code authorizes the Department to: issue
33 additional citations with assessment of penalties if the System continues to
34 fail to correct a violation identified in a citation; take action to suspend or
35 revoke a permit that has been issued to a public water system if the System
36 has violated applicable law or regulations or has failed to comply with orders
37



1 of the Department; and petition the superior court to take various
2 enforcement measures against a public water system that has failed to
3 comply with orders of the Department. The Department does not waive any
4 further enforcement action by issuance of this citation.

5
6 Janice M. Thomas

7 Janice M. Thomas, P.E.

8 Sonoma District Engineer

9 Drinking Water Field Operations Branch

September 11, 2013

Date

10
11 Attachments

12 Certified Mail No. 7012 2210 0002 1673 9940

13
14 4901071/Compliance
02-18-13C-049-4901071-03.docx/WWW



1 **COMPLIANCE CERTIFICATION**

2
3 **Citation Number: 02-18-13C-049**

4 **Name of Water System: Boulevard Heights Mutual Water**

5 **System Number: 4901071**

6 **Certification**

7 I certify that the users of the water supplied by this water system were notified of the
8 arsenic monitoring violations of Title 22, California Code of Regulations (CCR) for the
9 compliance period of second quarter of 2013.

10 Required Action

Date Completed

11 Complete Attachment A, as required in Directive 2(a)

12 Public Notification – Mail or Direct Delivery

13 Public Notification – Newspaper

14 Completed Chemical Monitoring Results

15
16
17 _____
Signature of Water System Representative

Date

18
19 **Attach a copy of the notice posted in the system, a copy published in the**
20 **newspaper, and laboratory results of completed sampling.**

21 **THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT**
22 **NO LATER THAN OCTOBER 21, 2013**

23 **Disclosure:** Be advised that Section 116725 and 116730 of the California Health and Safety Code
24 states that any person who knowingly makes any false statement on any report or document
25 submitted for the purpose of compliance with the attached order may be liable for a civil penalty not
26 to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation
27 continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be
punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail
not to exceed one year, or by both the fine and imprisonment.



IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable. Tradúzcalo o hable con alguien que lo entienda bien.

**Boulevard Heights Mutual Water Failed to Test for Arsenic during Second Quarter 2013
April/May/June 2013**

We failed to test the drinking water for arsenic during the second quarter of 2013. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we did to correct the situation. Please share this information with other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this notice in a public place or giving out copies by hand or mail.

What happened?

We are required by state regulations to monitor our drinking water for specific contaminants on a regular basis. Results of this routine monitoring are an indicator of whether or not the drinking water meets health standards. During April, May, and June 2013, we did not test for arsenic and, therefore, cannot be sure of the quality of the drinking water at that time.

What does this mean?

The California Department of Public Health (CDPH) sets drinking water standards and has determined that arsenic poses an acute health concern at high levels of exposure. Some people who drink water containing arsenic in excess of the standard over many years may experience skin damage or circulatory system problems, and may have an increased risk of getting cancer. Quarterly arsenic sampling is important to periodically verify the quality of your drinking water.

What should I do?

You do not need to take any corrective actions. This is not an emergency. If you have health concerns, you may wish to consult your doctor. General guidelines on arsenic in drinking water are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

What corrective actions have been taken to prevent this violation from occurring in the future?

This notification of the public is being done in compliance with Sections 64463.4 and 64465, Title 22 of the CCR as a means of keeping the public informed.

Persons wishing more information should contact:

(name)

(address)

(phone number)